

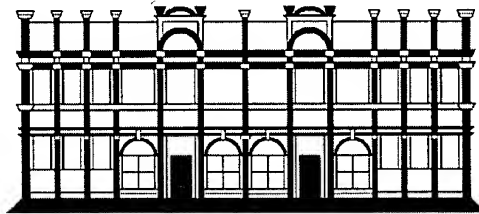
**United States Patent Application No. 09/830876**

**JOHN H. SKERRITT**

**EXHIBIT I**

**COMMUNICATION UNDER RULE 51(4) EPC**

**EUROPEAN APPLICATION No. 99957719.0**

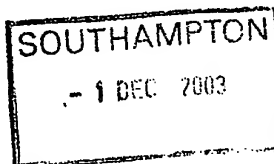


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**JANUARY 15 2004**

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NO. 1	
ORDER	
DARY	26 March 2003
REC'D (LONDON)	- 1 DEC 2003
ANSO	
ENTRY	
FOR	CLM



Application No. 99 957 719.0 - 2402	Ref. P011498EP CLM	Date 26.11.2003
Applicant Value Added Wheat CRC Limited		

#### Communication under Rule 51(4) EPC

You are informed that the Examining Division intends to grant a European patent on the basis of the above application with the text and drawings as indicated below:

In the text for the Contracting States:

AT BE CH CY DE DK ES FI FR GB GR IE IT LI LU MC NL PT SE

#### Description, Pages

1-3, 6, 9-32 as published  
4, 4a, 5, 7, 8 received on 08.10.2003 with letter of 07.10.2003

#### Claims, Numbers

1-22 received on 08.10.2003 with letter of 07.10.2003

#### Drawings, Sheets

1/10-10/10 as published

#### Comments

sequence listing pages 1/4 - 4/4 as published have been renumbered pages 29 - 32 of the description

A copy of relevant documents is enclosed

The title of the invention in the three official languages of the European Patent Office, the international patent classification, the designated Contracting States, the registered name of the applicant and the

bibliographic data are shown on the attached EPO Form 2056.

You are requested **within four months** of this notification

1.	to file 1 set of translations of the claim(s) in the two other EPO official languages;		EUR
2a.	to pay the fee for grant including the fee for printing up to and including 35 pages; Reference 007		715.00
2b.	to pay the printing fee for the 36th and each additional page; number of pages: 11	Reference 008	110.00
3.	to pay the additional claim fee(s) (Rule 51(7) EPC); number of claims fees payable: 0	Reference 016	0.00
		Total amount	825.00

Concerning the possibility of a request for accelerated grant pursuant to Article 97(6) EPC, reference is made to OJ EPO 2001, 459.

If the grant, printing or claims fees are not paid, or the translations not filed, in due time the European patent application will be deemed to be withdrawn (Rule 51(8) EPC).

For all payments you are requested to use EPO Form 1010 or to refer to the relevant reference number.

If additional copies of the patent specification are required, you should request this in writing and quote Fee reference code 058 when making payment.

#### Translation of the priority document(s)

If the translation of the priority document(s), as required by Article 88(1) EPC, or the declaration according to Rule 38(5) EPC has not yet been filed, Form 2530 will be despatched separately. The translation is to be filed within the above mentioned time limit (Rule 38(5) EPC).

#### Note on payment of renewal fees

If a renewal fee falls due between notification of the present communication and the proposed date of publication of the mention of the grant of the European patent, publication will be effected only after the renewal fee and any additional fee have been paid (Rule 51(9) EPC).

Under Article 86(4) EPC, renewal fees are payable to the European Patent Office until the year in which the mention of the grant of the European patent is published.

#### Filing of translations in the Contracting States

Pursuant to Article 65(1) EPC the following Contracting States require a translation of the specification of the European patent in their/one of their official language(s) (Rule 51(10) EPC), **insofar** this specification will not be published in their/one of their official language(s)

- within **three months** of publication of the mention of such decision:

AT	AUSTRIA	FR	FRANCE
BE	BELGIUM	GB	UNITED KINGDOM
BG	BULGARIA	GR	GREECE
CH	SWITZERLAND / LIECHTENSTEIN	HU	HUNGARY
CY	CYPRUS	IT	ITALY
CZ	CZECH REPUBLIC	NL	NETHERLANDS
DE	GERMANY	PT	PORTUGAL
DK	DENMARK	SE	SWEDEN
EE	ESTONIA	SI	SLOVENIA
ES	SPAIN	SK	SLOVAKIA
FI	FINLAND	TR	TURKEY

- within six months of publication of the mention of such decision:

IE IRELAND

The date on which the European Patent Bulletin publishes the mention of the grant of the European patent will be indicated in the decision on the grant of the European patent (EPO Form 2006). In case of a valid extension the following Extension States require a translation of the **claims** in their official language within **three** months after publication of the mention of the grant of the European patent:

AL	ALBANIA	MK	MACEDONIA
LT	LITHUANIA	RO	ROMANIA (requires translation of the specification)
LV	LATVIA		

The translation must be filed with the national Patent Offices of the Contracting or Extension States in accordance with the provisions applying thereto in the State concerned. Further details (e.g. appointment of a national representative or indication of an address for service within the country) are given in the EPO information brochure "National law relating to the EPC", and in the supplementary information published in the Official Journal of the EPO, or available on the EPO website.

Failure to supply such translation to the Contracting and Extension States in time and in accordance with the requirements may result in the patent being deemed to be void ab initio in the State concerned.

Note to users of the automatic debiting procedure

Unless the EPO receives prior instructions to the contrary, the fee(s) will be debited on the last day of the period of payment. For further details see the Arrangements for the automatic debiting procedure (see Supplement to OJ EPO 2, 2002).

**Examining Division:**

**Chairman:**  
**2nd Examiner:**  
**1st Examiner:**

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Enclosure(s):      Form 2056  
                            47 Copies of the relevant documents

Bibliographical data of European patent application No. 99 957 719.0

For the intended grant of a European patent, the bibliographical data are set out below, for information:

**Title of invention:**

- NACHWEIS VON VOR DER ERNTE STATTFINDENDER KEIMUNG IN GETREIDEKÖRNERN
- DETECTION OF PREHARVEST SPROUTING IN CEREAL GRAINS
- DETECTION DE LA GERMINATION PREMATUREE DE GRAINS CEREALIERS

**Classification:** G01N33/10, G01N33/573, G01N33/577, C07K14/40

**Date of filing:** 11.11.1999

**Priority claimed:** AU / 11.11.1998 / AUAPP705898

**Contracting States\***  
for which fees have  
been paid:

AT BE CH CY DE DK ES FI FR GB GR IE IT LI LU MC NL PT SE

**Extension States\***  
for which fees have  
been paid:

**Applicant(s)\*\*:** Value Added Wheat CRC Limited  
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**Inventor(s):** SKERRITT, John, Howard  
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AU

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| *)  | In case the time limits pursuant to Article 79(2) and Rule 85a EPC have not yet expired, all <b>Contracting States/Extension States</b> have been mentioned. |
| **) | In case two or more applicants have designated different Contracting States, this is indicated here.   |